



#  
DP  
5/21/3

PTO/SB/17 (11-00)  
Approved for use through 10/31/2002. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE  
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# FEE TRANSMITTAL for FY 2003

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ 266.00

## Complete if Known

Application Number	09/596,930
Filing Date	June 16, 2000
First Named Inventor	Martin et al
Examiner Name	Rademacher, Mark A.
Group Art Unit	3761
Attorney Docket No.	3869/006

## METHOD OF PAYMENT

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number 07-1730  
Deposit Account Name

☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☒ Payment Enclosed:

☒ Check ☐ Credit card ☐ Money Order ☐ Other

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity Code (\$)	Small Entity Code (\$)	Fee Description	Fee Paid
101 710	201 355	Utility filing fee	
106 320	206 160	Design filing fee	
107 490	207 245	Plant filing fee	
108 710	208 355	Reissue filing fee	
114 150	214 75	Provisional filing fee	

SUBTOTAL (1) (\$ 0.00

### 2. EXTRA CLAIM FEES

Total Claims 24 - 20\*\* = 4 x 18.00 = 72.00  
Independent Claims 4 - 3\*\* = 1 x 84.00 = 84.00  
Multiple Dependent

Large Entity Code (\$)	Small Entity Code (\$)	Fee Description
103 18	203 9	Claims in excess of 20
102 80	202 40	Independent claims in excess of 3
104 270	204 135	Multiple dependent claim, if not paid
109 80	209- 40	** Reissue independent claims over original patent
110 18	210 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 156.00

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105 130	205 65	Surcharge - late filing fee or oath	
127 50	227 25	Surcharge - late provisional filing fee or cover sheet	
139 130	139 130	Non-English specification	
147 2,520	147 2,520	For filing a request for ex parte reexamination	
112 920*	112 920*	Requesting publication of SIR prior to Examiner action	
113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action	
115 110	215 55	Extension for reply within first month	110.00
116 390	216 195	Extension for reply within second month	
117 890	217 445	Extension for reply within third month	
118 1,390	218 695	Extension for reply within fourth month	
128 1,890	228 945	Extension for reply within fifth month	
119 310	219 155	Notice of Appeal	
120 310	220 155	Filing a brief in support of an appeal	
121 270	221 135	Request for oral hearing	
138 1,510	138 1,510	Petition to institute a public use proceeding	
140 110	240 55	Petition to revive - unavoidable	
141 1,240	241 620	Petition to revive - unintentional	
142 1,240	242 620	Utility issue fee (or reissue)	
143 440	243 220	Design issue fee	
144 600	244 300	Plant issue fee	
122 130	122 130	Petitions to the Commissioner	
123 130	123 130	Petitions related to provisional applications	
126 180	126 180	Submission of Information Disclosure Stmt	
581 40	581 40	Recording each patent assignment per property (times number of properties)	
146 710	246 355	Filing a submission after final rejection (37 CFR § 1.129(a))	
149 710	249 355	For each additional invention to be examined (37 CFR § 1.129(b))	
179 710	279 355	Request for Continued Examination (RCE)	
169 900	169 900	Request for expedited examination of a design application	

Other fee (specify)

SUBTOTAL (3) (\$ 110.00

## SUBMITTED BY

Name (Print/Type)	Raymond B. Churchill, Jr.	Registration No. (Attorney/Agent)	44,617	Telephone	212-684-3900
Signature				Date	May 12, 2003

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

RECEIVED

MAY 19 2003  
TECHNICAL ROOM

05/14/2003 RHARTIS1 00000001 09596730

110.00 DP 01 FC:1251



5-13-3

3761

3869-006

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANT : Martin et al.

SERIAL NO. : 09/596,730

FILING DATE : June 16, 2000

GROUP ART UNIT : 3761

EXAMINER : Rademacher, Mark A.

TITLE : APPARATUS WITH AUTOMATIC RESPIRATION  
MONITORING AND DISPLAY

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22312-1450

RECEIVED  
MAY 19 2003  
TC 3100 MAIL ROOM

**TRANSMITTAL OF AMENDMENT AND RESPONSE TO OFFICE ACTION**

SIR:

The Applicant hereby transmits the following documents in response to the Office Action dated January 17, 2003.

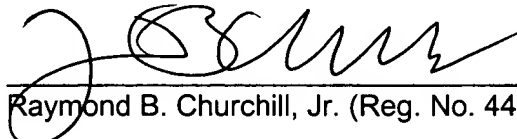
- (1) Amendment and Response to Office Action (13 pages);
- (2) Corrected Drawings (6 pages);
- (3) A check in the amount of \$266.00 made payable to the Commissioner for a 1 month extension of time and new claims fees;
- (4) Fee transmittal form in duplicate; and
- (5) An itemized postcard for return.

The Commissioner is authorized to charge any additional fees that may be required, or to credit any overpayment, to our Deposit Account No. 07-1730.

I hereby certify that the foregoing documents are being deposited with the United States Postal Service, Express Mail, Post Office to Addressee in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date below. (Express Mail Label: EV 225384443 US).

GOTTLIEB, RACKMAN & REISMAN, P.C.  
Attorneys for Applicant  
270 Madison Avenue  
New York, NY 10016-0601  
Telephone: (212) 684-3900

Dated: May 12, 2003

  
Raymond B. Churchill, Jr. (Reg. No. 44,617)



#8/A  
OK  
3869/006 3/2/3

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANT : Martin et al.  
SERIAL NO. : 09/596,730  
FILING DATE : June 16, 2000  
GROUP ART UNIT : 3761  
EXAMINER : Rademacher, Mark A.  
TITLE : APPARATUS WITH AUTOMATIC RESPIRATION  
MONITORING AND DISPLAY

RECEIVED  
MAY 19 2003  
TC 3700 MAIL ROOM

**AMENDMENT AND RESPONSE TO  
OFFICE ACTION**

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

This Amendment and Response to Office Action is filed in response to the Office Action dated January 17, 2003. Applicant requests that the Examiner reconsider the application as amended herein.

**In the Specification:**

Amendments to the specification are contained in a Specification Amendments section beginning at page 2 of this amendment.

**In the claims:**

Amend claims 1, 4-10, 13, 14, 23 and 26 and add new claims 31-34 as shown in the Claim Amendments section beginning at page 4 of this amendment.

**In the drawings:**

Applicant submits the attached corrected drawings. The corrections are described in a Drawing Amendments section beginning at page 10 of this amendment.

**Remarks:**

A Remarks section appears on page 11 of this amendment.

Drawing  
Changes  
Approved  
By Examiner  
4/26/04  
a.j.